

REMARKS / ARGUMENTS

Claims 1 and 20 remain pending in this application. Claim 1 has been amended.

Priority

Applicants appreciate the Examiner's acknowledgment of the claim for priority and safe receipt of the priority document.

Interview

Applicants wish to thank the Examiner and the Examiner's supervisor for conducting an interview with the undersigned on July 21, 2009. The following includes the substance of that which was discussed during the interview

35 U.S.C. §101

The claims have been amended overcome this rejection.

35 U.S.C. §112

The claims have been amended to remove the phrase "such as". However, regarding item 4 on page 3 of the Office Action, the Examiner refers to language that was previously pending before the Amendment filed on November 12, 2008. The

current claims were modified in the Amendment of November 12, 2008 to change the language referred to in this portion of the Office Action.

35 U.S.C. § 103

Claims 1 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Scheer (U.S. Pub. No. 2002/0161674) in view of Nagata (U.S. Pub. No. 2002/0077979). These rejections are traversed as follows.

Claim 1 specifically recites that a process is performed in which a demand predicting means calculates a planned demand value of a fourth past time period which is different from a second past time period, based on an actual demand value of a third past time period stored in a data storage means...to obtain a new sample of the predicted remainder. Furthermore, claim 1 recites that the process of calculating a predicted remainder is repeatedly performed for different past time periods until a number of samples of predicted remainders satisfying a criterion has been obtained. Claim 1 also recites that the parameter calculating means calculates the parameter of standard deviation based on a plurality of the samples of the predicted remainders obtained by the repeated process of calculating a predicted remainder, and that the safety stock calculating means newly calculates a safety stock based upon the parameter of standard deviation and the updated setting value, each time the setting value is updated, to thereby update a current safety stock.

This repeated calculation enables the presently claimed invention to more accurately calculate and update the current safety stock. It is submitted that the Examiner cannot simply take Official Notice of this important feature of the claims. One of ordinary skill in the art would not be motivated to modify Sheer to calculate a plurality of predicted remainders in order to calculate the parameter of standard deviation in order to more precisely estimate the current safety stock.

Scheer discloses that a value of demand during a certain period from a present point in time is predicted based on past actual demand information. Sheer also refers to calculating a standard deviation of demand rates over a period (see [0184]). Sheer does not disclose or suggest calculating a plurality of predicted remainders from predicted demand and actual demand and then calculating the parameter of standard deviation from the predicted remainders. As mentioned above, the Examiner cannot simply take Official Notice of this feature that is clearly recited in claim 1.

The deficiencies in Scheer are not overcome by resort to Nagata. Nagata discloses a system in which charges in accordance with a use state are charged only to parts having actually been used thereby to prevent excessive cost in advance. The Examiner refers to Fig. 32, however, Fig. 32 shows a data table for product-in-circulation. Fig. 32 is used to specify a signer of a toner cartridge of unique data. The unique data of toner cartridges may be time-sequence data of actual demand from a past time to a present time, but is not a data storing therein in time sequence

respective setting values at every unit time period. As such, it is submitted that the pending claims patentably define the present invention over the cited art.

Conclusion

In view of the foregoing, Applicants respectfully request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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